UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

GREATER PENNSYLVANIA CARPENTERS PENSION FUND,

Plaintiff,

VS.

CHEMED CORP., KEVIN MCNAMARA, DAVID WILLIAMS, and TIM O'TOOLE,

Defendants.

Civil Action No. 1:12-cv-28 Judge Michael R. Barrett

NOTICE OF SUBSTITUTION OF COUNSEL

Plaintiff Greater Pennsylvania Carpenters Pension Fund, pursuant to S. D. Ohio Civ. R. 83.4(c)(1), hereby gives notice that Matthew R. Chasar and Joseph M. Sprafka, III of the law firm of Reardon & Chasar, LPA shall be substituted as trial attorneys/local counsel for Plaintiff and that Richard S. Wayne, William K. Flynn, and Thomas P. Glass of the law firm of Strauss & Troy, LPA hereby withdraw as trial attorneys/local counsel for Plaintiff.

Samuel H. Rudman and Evan J. Kaufman of the law firm of Robbins Geller Rudman & Dowd LLP shall remain as attorneys for Plaintiff.

An authorized representative of Plaintiff has signed this notice indicating this substitution is made with Plaintiff's knowledge and consent.

Dated: February 23, 2012 Respectfully submitted, REARDON & CHASAR, LPA STRAUSS & TROY, LPA by s/ Matthew R. Chasar s/ Richard S. Wayne Richard S. Wayne Bar No. 0022390 Matthew R. Chasar Bar No. 0075191 Joseph M. Sprafka III Bar No. 0085175 William K. Flynn Bar No. 0029536 Thomas P. Glass Bar No. 0062382 Trial Attorneys for Plaintiff Substituted Trial Attorneys for Defendants 455 Delta Avenue, Suite 108 150 East Fourth Street Cincinnati, OH 45226 Cincinnati, OH 45202 (513) 827-6136 (513) 621-2120 E-mail: mrchasar@reardonchasar.com E-mail: rswaye@strausstroy.com E-mail: jmsprafka@reardonchasar.com Email: wkflynn@strausstroy.com Email: tpglass@strausstroy.com Samuel H. Rudman GREATER PENNSYLVANIA Evan J. Kaufman CARPENTERS PENSION FUND **ROBBINS GELLER RUDMAN** & DOWD LLP 58 South Service Road, Suite 200 Melville, NY 11747 (631) 367-7100 Email: srudman@rgrdlaw.com Email: ekaufman@rgrdlaw.com Attorneys for Plaintiff

Dated: February <u>22</u>, 2012

Respectfully submitted,

REARDON & CHASAR, LPA

STRAUSS & TROY, LPA

by s/ Matthew R. Chasar
Matthew R. Chasar Bar No. 0075191
Joseph M. Sprafka III Bar No. 0085175

by s/ Richard S. Wayne
Richard S. Wayne Bar No. 0022390
William K. Flynn Bar No. 0029536
Thomas P. Glass Bar No. 0062382

Trial Attorneys for Plaintiff

Substituted Trial Attorneys for Defendants

455 Delta Avenue, Suite 108 Cincinnati, OH 45226 (513) 827-6136 150 East Fourth Street Cincinnati, OH 45202 (513) 621-2120

E-mail: mrchasar@reardonchasar.com E-mail: jmsprafka@reardonchasar.com E-mail: rswaye@strausstroy.com Email: wkflynn@strausstroy.com Email: tpglass@strausstroy.com

Samuel H. Rudman
Evan J. Kaufman
ROBBINS GELLER RUDMAN
& DOWD LLP

GREATER PENNSYLVANIA CARPENTERS PENSION FUND

58 South Service Road, Suite 200 Melville, NY 11747 (631) 367-7100

Email: srudman@rgrdlaw.com
Email: ekaufman@rgrdlaw.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing has been filed electronically with the U.S. District Court this 23rd day of February 2012. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. The following parties will be served by ordinary United States mail, first class postage prepaid, this 23rd day of February, 2012.

Chemed Corporation 255 E. Fifth Street, Suite 2600 Cincinnati, OH 45202 Kevin McNamara c/o Chemed Corporation 255 E. Fifth Street, Suite 2600 Cincinnati, OH 45202

David Williams c/o Chemed Corporation 25 E. Fifth Street, Suite 2600 Cincinnati, OH 45202 Tim O'Toole c/o Chemed Corporation 25 E. Fifth Street, Suite 2600 Cincinnati, OH 45202

/s/ Matthew R. Chasar

Matthew R. Chasar Ohio Attorney No. 0075191